

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CASEY’S DISTRIBUTING, INC., et al.,	:	Case No. 1:22-cv-03934-ALC
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
NATIONAL FOOTBALL LEAGUE, et al.,	:	
	:	
Defendants.	:	
	:	
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**JOINT STIPULATION AND ORDER REGARDING BRIEFING
SCHEDULE ON DEFENDANTS’ FORTHCOMING MOTIONS TO DISMISS**

Plaintiff Casey’s Distributing, Inc. and the alleged class (“Plaintiff”) and Defendants National Football League (“NFL”), National Football League Properties, LLC (“NFLP”), NFL Enterprises LLC (“NFL Enterprises”), the NFL’s member teams,¹ and Fanatics, LLC, incorrectly named as Fanatics, Inc. (“Fanatics”) (collectively, “Defendants”) hereby stipulate and agree as follows:

WHEREAS, on October 31, 2022, the Court granted Defendants’ requests to file motions to dismiss, but the Court held the briefing schedule for Defendants’ motions in abeyance pending the resolution of the motion to compel arbitration in the related action, *Maldonado v. NFL et al.*, No. 1:22-cv-02289-ALC (S.D.N.Y.) (“*Maldonado*”). ECF No. 57.

WHEREAS, on July 18, 2023, the Court granted the motion to compel arbitration in *Maldonado*. *Maldonado*, ECF No. 78.

WHEREAS, on July 28, 2023, the Court ordered Plaintiff and Defendants (collectively,

¹ The NFL’s 32 member teams—all of whom are named defendants—are listed in paragraphs 10-41 in Plaintiff’s First Amended Complaint, ECF No. 52.

the “Parties”) to submit a proposed briefing schedule for Defendants’ motions to dismiss by August 2, 2023. ECF No. 59.

NOW, THEREFORE, the Parties, through their undersigned counsel and subject to the Court’s approval, stipulate and agree to the following:

1. On or before October 6, 2023, Defendants shall file their motions to dismiss. NFL, NFLP, NFL Enterprises, and the NFL’s member teams (collectively, “NFL Defendants”) shall file a single motion to dismiss, and Fanatics shall file its own single motion to dismiss.

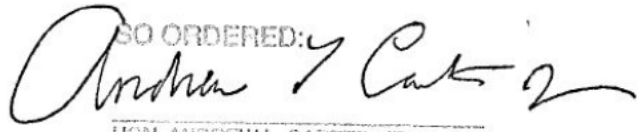
2. On or before December 5, 2023, Plaintiff shall file its brief(s) in opposition to Defendants’ motions to dismiss. Plaintiff may file a consolidated opposition to Defendants’ motions to dismiss.

3. On or before January 12, 2024, Defendants shall file their reply briefs in further support of their motions to dismiss.

ORDER

Based upon the foregoing stipulation, the Court adopts the proposed briefing schedule set forth by the Parties.

Dated: August 3, 2023
New York, NY

SO ORDERED:

HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE

Dated: August 2, 2023

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Respectfully Submitted,²

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² The below electronic signatures are being used with the consent of each party in accordance with Rule 8.5(b) of this District's Electronic Case Filing Rules & Instructions.

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